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9 *Counsel for the United States of America*

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IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

SU CHANG MUN; KELLY BERNIER-  
MUN, a/k/a KELLY LYNN MUN; VASILY  
LITVINCHUK; NATALIYA LITVINCHUK;  
YURIY ROMANYUK; CITY OF  
SACRAMENTO; COUNTY OF  
SACRAMENTO DEPARTMENT OF  
CHILD SUPPORT SERVICES.

Defendants.

Case No. 2:25-cv-01406-DJC-AC

**STIPULATION AND ORDER  
REGARDING DISCLAIMER OF  
INTEREST AND DISMISSAL OF  
VASILY LITVINCHUK**

The United States and Vasily Litvinchuk respectfully move the Court to dismiss Vasily Litvinchuk from this case pursuant to Federal Rule of Civil Procedure 41(a)(2). In support of their motion, the parties aver as follows:

1. Pursuant to 26 U.S.C. §§ 7401 and 7403, Plaintiff United States of America filed this action on May 19, 2025, to enforce its federal tax liens on real property commonly known as 1623 Kathleen Avenue, Sacramento, CA 95815 (the "Kathleen Avenue Property").

2. The Kathleen Avenue Property is located in the County of Sacramento. Following is a legal description of the Kathleen Avenue Property:

**PARCEL NO. 1:**

**THE EAST 52 FEET OF THE WEST 102 FEET OF THE EAST 167.6 FEET OF THE SOUTH 150 FEET OF LOT 1 IN BLOCK 46 AS SHOWN ON THE "PLAT OF NORTH SACRAMENTO SUBDIVISION NO. 8", RECORDED IN BOOK 13 OF MAPS, MAP NO. 49, RECORDS OF SAID COUNTY.**

**PARCEL NO. 2:**

**AN EASEMENT FOR SEWER PURPOSES OVER, ACROSS AND UNDER THE EAST 4 FEET OF THE SOUTH 100 FEET OF THE WEST 50 FEET OF THE EAST 167.6 FEET OF LOT 1 IN BLOCK 46 AS SHOWN ON THE "PLAT OF NORTH SACRAMENTO SUBDIVISION NO. 8", RECORDED IN BOOK 13 OF MAPS, MAP NO. 49, RECORDS OF SAID COUNTY.**

3. The United States named the Vasiliy Litvinchuk as a defendant in this action, pursuant to 26 U.S.C. § 7403(b), because he may claim an interest in the Kathleen Avenue Property.

4. The United States filed an amended complaint pursuant to Rule 15(a)(1) on May 17, 2025 to add an additional defendant who may claim an interest in the Kathleen Avenue Property. ECF No. 12.

5. The United States served Vasiliy Litvinchuk with a copy of the original complaint and summons on June 7, 2025. ECF No. 10. The United States mailed a copy of the amended complaint to Vasiliy Litvinchuk on May 17, 2025.

6. Vasiliy Litvinchuk disclaims any interest in the Kathleen Avenue Property, including, but not limited to, any ownership interest connected with the grant deeds recorded in the County of Sacramento Recorder's Office which are attached as Exhibit A.

7. Vasiliy Litvinchuk and the United States stipulate and agree that Vasiliy Litvinchuk should not share in the proceeds of any foreclosure sale ordered by the Court in this action and should be dismissed from this action.

8. The United States and Vasiliy Litvinchuk agree that each party shall bear their own costs, including attorney's fees.

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1 The parties therefore respectfully request that the Court dismiss Vasiliy  
2 Litvinchuk from this action pursuant to Rule 41(a)(2).

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4 Respectfully submitted,

5 [ORIGINAL SIGNATURES CONTAINED IN FILED STIPULATION]

6 Dated: 07/07/25

7 /s/ Connor J. Pestovich

8 CONNOR J. PESTOVICH (NM Bar 159189)

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16 *Counsel for the United States of America*

17 /s/ Vasiliy Litvinchuk

18 Vasiliy Litvinchuk

19 *Pro Se Defendant*

20 **IT IS SO ORDERED.**

21 Dated this 15<sup>th</sup> day of August, 2025.

22 /s/ Daniel J. Calabretta

23 THE HONORABLE DANIEL J. CALABRETTA

24 UNITED STATES DISTRICT JUDGE